IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
Civil Writ Petition No.8877 of 2004

Jayant Hiranand Desar @ Faraswani — Petitioner
Vs.
State of Maharashtra & ors. — Respondents

Petitioner in person.
Mr.R.M.Patne, AGP for Resp.No.1.

CORAM: B.H.MARLAPALLE,J.

June 07, 2006.

P.C.

. Notice of Motion No.4300 of 2004 filed in S.C. Suit No.179 of 1998 came to be allowed by the learned Judge of the City Civil Court by her order dated 24/11/2003 and the said order is under challenge in this petition.

. The petitioner, party-in-person, has advanced arguments and submitted that the affidavit in support of the notice of motion could not have been accepted by the trial Court mainly because it was not affirmed properly.

. The trial Court has recorded that the affidavit was affirmed in England where the defendants are presently stationed and it was, prima facie, affirmed before a legal executive by name Wendy Jackson who has signed the same as Commissioner

of Oath. There was nothing placed on record to show that the said Commissioner of Oath was not a competent officer before whom affidavit was affirmed.

. Hence the petition is rejected summarily.

Trial of the suit is expedited.

(B.H.MARLAPALLE,J.)